

**REVENUE:** Revenue statement issued

**FISCAL:** Fiscal statement issued

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| <b>Action:</b>        | Do Pass as Amended and Be Printed Engrossed and Be Referred to the Committee on Ways and Means |
| <b>Vote:</b>          | 6 - 4 - 0  |
| <b>Yeas:</b>          | Boone, Dembrow, Doherty, Frederick, VanOrman, Tomei  |
| <b>Nays:</b>          | Freeman, Huffman, Maurer, Olson  |
| <b>Exc.:</b>          | 0  |
| <b>Prepared By:</b>   | Rick Berkobien, Administrator  |
| <b>Meeting Dates:</b> | 2/5, 2/8, 2/10   |

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**WHAT THE MEASURE DOES:** Creates the nine-member Oregon traumatic brain injury (TBI) strategic partnership advisory council for the Governor and Department of Human Services (DHS). Requires DHS to provide staff support. Requires DHS to contract with an expert to provide a preliminary report on a comprehensive statewide plan to address the needs of individuals with TBI including the use of public-private collaboration; report on development of an information and referral network, statewide registry and services; and, encourage and facilitate collaboration between public and private programs. Requires DHS to provide funding to the contractor for programs that facilitate existing support groups. Designates a \$5 fee from traffic citations to fund the program. Establishes the Brain Injury Trust Fund. Allows Oregon Health Authority (OHA) to establish a TBI registry for the purpose of collecting incident rate information. Outlines purpose of registry. Requires OHA to adopt rules, analyze collected data, use data to control and prevent TBI, collaborate with practitioners and others on results of studies, and cooperate with Centers for Disease Control and Prevention in providing TBI incident data. Requires TBI treatment facilities to provide data to OHA, and allows OHA to review records. Allows OHA to conduct special studies of TBI. Establishes that patient identifying data is confidential. Exempts data as being confidential when it is used with the administration or enforcement of public health laws. Allows OHA to adopt rules under which confidential data may be used by third parties to conduct research and studies for the public good. Establishes that an action for damages arising from disclosure of confidential information cannot be maintained against a person or employer who participates in good faith in providing data. Establishes that a health care facility is not prohibited from maintaining its own TBI registry. Declares emergency, effective upon passage.

**ISSUES DISCUSSED:**

- Incident rate of traumatic brain injury
- Need for registry
- Types of traumatic brain injuries
- Percent of car accidents resulting in brain injuries
- Falls among seniors cause of brain injuries
- Impact on public safety with increase in traffic fines
- Increase in Department of Human Services' budget

**EFFECT OF COMMITTEE AMENDMENT:** Allows Oregon Health Authority (OHA) to establish a traumatic brain injury (TBI) registry for the purpose of collecting incident rate information. Outlines purpose of registry. Requires OHA to adopt rules, analyze collected data, use data to control and prevent TBI, collaborate with practitioners and others on results of studies, and cooperate with Centers for Disease Control and Prevention in providing TBI incident data. Requires TBI treatment facilities to provide data to OHA, and allows OHA to review records. Allows OHA to conduct special studies of TBI. Establishes that patient identifying data is confidential. Exempts data as being confidential when it is used with the administration or enforcement of public health laws. Allows OHA to adopt rules under which confidential data may be used by third parties to conduct research and studies for the public good. Establishes that an action for damages arising from disclosure of confidential information cannot be maintained against a person or employer who participates in good faith in providing data. Establishes that a health care facility is not prohibited from maintaining its own TBI registry.

**BACKGROUND:** According to the Brain Injury Association of Oregon, Inc. at least 6.5 million Americans live with the result of a traumatic brain injury, an injury to the brain caused by a direct blow to the skull often as a result of an accident or assault. Using data from the Center for Disease Control and Prevention it is estimated that 20,000 Oregonians sustain a traumatic brain injury each year with another 259,000 unidentified but living with the results of the injury because they are treated and released from an emergency room or by a physician without follow-up. Many of those living with the results of a traumatic brain injury have a wide range of cognitive, behavioral and emotional deficits. These include difficulty learning and remembering new material, starting and completing tasks – even those that were simple prior to the injury – decreased ability to analyze and problem solve accompanied by anger, depression and inappropriate behavior often result in the loss of friendships, family problems and increasing isolation for the affected individuals and their families. Call centers, traumatic brain injury registries, counseling assistance for survivors and caretakers and recognition and treatment of the condition are all ways that traumatic brain injury is being addressed.